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10 *Attorneys for Plaintiff, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB,*
11 *not in its individual capacity but as Trustee of ARLP Trust 3*

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTIANA TRUST, A DIVISION OF
WILMINGTON SAVINGS FUND SOCIETY,
FSB, NOT IN ITS INDIVIDUAL CAPACITY
BUT AS TRUSTEE OF ARLP TRUST 3,

Plaintiff,

vs.

BOULDER CREEK HOMEOWNERS
ASSOCIATION,

Defendant(s).

Case No.: 2:17-cv-02965-RFB-NJK

**STIPULATION AND ORDER TO
STAY LITIGATION PENDING
STATE COURT QUIET TITLE
ACTION**

Plaintiff, Christiana Trust, a Division of Wilmington Savings Fund Society, FSB, not in
its individual capacity but as Trustee of ARLP Trust 3 (hereinafter “Christiana Trust”) and
Defendant, Boulder Creek Homeowners Association (hereinafter “HOA”) (collectively, the
“Parties”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on August 3, 2015, Christiana Trust filed a Complaint for Quiet Title
against SFR Investments Pool 1, LLC in the Eighth Judicial District Court, Clark County
Nevada, Case No. A-15-722537-C (the “Quiet Title Action”) related to a non-judicial
homeowner’s association foreclosure sale (“HOA Sale”) conducted on a Property pursuant to
NRS Chapter 116.

WHEREAS, this lawsuit involves a Wrongful/Defective Foreclosure claim and other
claims related to the HOA Sale.

WHEREAS, the Quiet Title Action currently has a close of discovery of December 14,

2018, and a dispositive motion deadline of January 14, 2019.

WHEREAS, the Parties seek to reduce litigation fees and costs and conserve both the parties' and the Court's time and resources.

WHEREAS, the Parties agree that a stay of the instant matter will not result in damages, prejudice, or hardship to any party and is likely to save the Court and Parties significant resources, including fees, costs, and time which would surely be expended if litigation were required to continue. See Dependable Highway Exp., Inc. v. Navigators Ins. Co., 498 F.3d 1059, 1066 (9th Cir. 2007) (setting forth factors relevant to a stay).

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1 WHEREFORE, based on the foregoing, IT IS HEREBY STIPULATED AND AGREED
2 that this case shall be stayed pending resolution of the Quiet Title Action.

3 IT FURTHER STIPULATED AND AGREED that the stay may be lifted by stipulation
4 of the Parties or by motion.

5 DATED this 26th day of November, 2018.

DATED this 26th day of November, 2018.

6 **WRIGHT, FINLAY & ZAK, LLP**

TYSON & MENDES LLP

7 /s/ Paterno C. Jurani, Esq.

/s/ Margaret E. Schmidt, Esq.

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13 *Division of Wilmington Savings Fund*

Attorneys for Defendant, Boulder Creek
Homeowners Association

14 *Society, FSB, not in its individual capacity*
15 *but as Trustee of ARLP Trust 3*

16 **ORDER**

17 IT IS SO ORDERED.

18 DATED this 4th day of December, 2018.

19 

20 RICHARD F. BOULWARE, II
21 UNITED STATES DISTRICT JUDGE

Date: _____

22 Respectfully submitted by:

23 **WRIGHT, FINLAY & ZAK, LLP**

24 /s/ Paterno C. Jurani, Esq.

25 Paterno C. Jurani, Esq.

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not in its individual capacity but as Trustee of ARLP Trust 3